

DEC 07 2004

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PATENT, TRADEMARK, COPYRIGHT  
AND UNFAIR COMPETITION LAW  
AND RELATED LITIGATION

EDMUND P. WOOD 1923-1968  
TRUMAN A. HERRON 1935-1976  
EDWARD B. EVANS 1936-1971

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## FACSIMILE COVER SHEET

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TO: Commissioner for PatentsFax No: 703/872-9306Pages (including cover page): 10Date: December 7, 2004FROM: Keith R. Haupt, Esq.  
Reg. No. 37,638Re: This fax includes: Amendment Transmittal; Amendment; Authorization to  
Charge Deposit Account 23-3000

Serial No.: 10/764,214  
Filed: January 23, 2004  
Group Art Unit: 3721  
Applicant: Edward A. Zumbiel and  
Kevin J. Hawk

Title: OVER-WRAPPED CARTON AND  
ASSOCIATED PRODUCTION METHOD  
Conf. No.: 9137  
Our Ref.: RWZ-77

## CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being facsimile transmitted to the  
Commissioner for Patents, Art Unit 3721 at facsimile telephone  
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*Lisa L. Tucker* 12/7/04  
Lisa L. Tucker Date

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PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Edward A. Zumbiel and Kevin J. Hawk

Serial No.: 10/764,214

Examiner: Paul R. Durand

Filed: January 23, 2004

Group No.: 3721

For: OVER-WRAPPED CARTON AND ASSOCIATED PRODUCTION METHOD

Conf. No.: 9137

Mall Stop Amendment  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

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AMENDMENT TRANSMITTAL

- Transmitted herewith is an amendment for this application.
- X  Small Entity status of this application under 37 CFR 1.9 and 1.27 has been established by a verified statement previously submitted.  
 \_\_\_\_\_ Enclosed is a verified statement to establish small entity status.  
 \_\_\_\_\_ Other Than a Small Entity.
- The fee has been calculated as shown below:

	(Col. 1)		(Col. 2)	(Col. 3)	SMALL ENTITY		LARGE ENTITY	
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Addit. Fee	Rate	Addit. Fee
TOTAL	*20	MINUS	**20		x 9	\$0	x18	\$
INDEP.	*2	MINUS	***3		x44	\$0	x88	\$
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM					+150	\$	+300	\$
					TOTAL FEE	\$0	TOTAL FEE	\$

\* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.

\*\* If the "Highest No. Previously Paid for" IN THIS SPACE is less than 20, write "20" in this space.

\*\*\* If the "Highest No. Previously Paid for" IN THIS SPACE is less than 3, write "3" in this space.

The "Highest No. Previously Paid for" (Total or Independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment or the number of claims originally filed.

 X  No additional fee for claims is required.

\_\_\_\_\_ Total fee for claims required \$\_\_\_\_\_.

4. Attached is a check in the sum of \$\_\_\_\_\_.  
\_\_\_\_ Please charge my Deposit Account No. 23-3000 in the amount of \$\_\_\_\_. A  
duplicate copy of this sheet is attached.

5. The proceedings herein are for a patent application and the provisions of 37 CFR 1.136 apply.

Complete (a) or (b) as applicable.

- (a) \_\_\_\_ Applicant petitions for an extension of time under 37 CFR 1.136 for the total number of months checked below:

<u>Extension (months)</u>	<u>Fee for other than small entity</u>	<u>Fee for small entity</u>
____ one month	\$ 110.00	\$ 55.00
____ two months	\$ 430.00	\$ 215.00
____ three months	\$ 980.00	\$ 490.00
____ four months	\$1,530.00	\$ 765.00
____ five months	\$2,080.00	\$1,040.00

Fee: \$ \_\_\_\_\_

- \_\_\_\_ Please charge my Deposit Account No. 23-3000 in the amount of \$\_\_\_\_. A  
duplicate copy of this sheet is attached.

If an additional extension of time is required, please consider this a petition therefor.

(Check and complete the next item, if applicable)

- \_\_\_\_ An extension for \_\_\_\_\_ months has already been secured. The fee paid therefor of \_\_\_\_\_ is deducted from the total fee due for the total months of extension now requested.

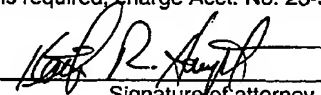
Extension fee due with this request \$ \_\_\_\_\_.

OR (b)

- X Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

- X If any additional fee for claims or extension is required, charge Acct. No. 23-3000.

2700 Carew Tower  
Cincinnati, Ohio 45202  
(513) 241-2324

  
\_\_\_\_\_  
Signature of attorney

\_\_\_\_\_  
Keith R. Haupt  
Type name of Attorney

Reg. No. 37,638

**CERTIFICATE OF FACSIMILE TRANSMISSION**

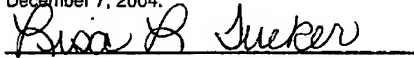
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Lisa L. Tucker  
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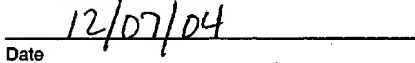
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Date

**CERTIFICATE OF FACSIMILE**

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Lisa L. Tucker



Date

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Serial No.: 10/764,214  
Filed: January 23, 2004  
Group Art Unit: 3721  
Examiner: Paul R. Durand  
Applicant: Edward A. Zumbiel et al.  
Title: OVER-WRAPPED CARTON AND ASSOCIATED PRODUCTION METHOD  
Attorney Docket: RWZ-77  
Confirmation No.: 9137

Cincinnati, Ohio 45202

December 7, 2004

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**RESPONSE**

This paper is in response to the Office Action mailed September 10, 2004.

Consideration of this response is respectfully solicited at this time.

Remarks begin on page 2 of this paper.